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ABSTRACT

The document describes the Senior Citizens Legal Services program in Santa Cruz, California, which provides legal services to the elderly poor with the assistance of senior citizens who act as legal assistants. Among those involved in the Senior Citizens Legal Services are the following staff members, whose duties are outlined: office assistant, legal assistants, attorney, and college student volunteers. The processes involved in creating the program are described in sequence: (1) information gathering, (2) seeking and obtaining funding, (3) determining staff size and composition, (4) office location and design, (5) recruiting and selecting staff, (6) staff training, (7) developing office policy, and (8) publicizing office opening. The administrative structure and procedures of the Senior Citizens Legal Services are described, and samples of office forms used for gathering information about a client are included. The use of the program as a model and its possible adaptation or expansion into other situations is discussed. (EC)

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THE SANTA CRUZ STORY

SENIOR CITIZENS LEGAL SERVICES

by

WANDA R. COLLINS, MSW

TERRENCE M. DONNELLY, MSW

CLAIRE McADAMS

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CALIFORNIA RURAL LEGAL ASSISTANCE OFFICE

of the

NATIONAL SENIOR CITIZENS LAW CENTER

CE007232

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California Rural Legal Assistance Office
National Senior Citizens Law Center
942 Market Street, Suite 606
San Francisco, CA 94102

May, 1973

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DEDICATED

WITH APPRECIATION

to the entire staff of the Senior Citizens Legal Services office of Santa Cruz and to the clients they serve, without whose co-operation this handbook and film would never have become a reality.

THE SANTA CRUZ STORY

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SENIOR CITIZENS LEGAL SERVICES
LEGAL SERVICES FOR LOW INCOME PEOPLE: 62 & OVER
call or come in / mon-fri 8:30-4:30
1835 SOQUEL AVE., SANTA CRUZ 426-8824
UNIT OF THE LEGAL AID SOCIETY

PREFACE

This preface will explain the role of three national organizations in the development of this handbook and the accompanying film.[1] These organizations are: The National Paralegal Institute, the California Rural Legal Assistance Office of the National Senior Citizens Law Center, and the Administration on Aging of the Department of Health, Education and Welfare.

THE NATIONAL PARALEGAL INSTITUTE

The National Paralegal Institute (NPI)[2] was funded by the Office of Economic Opportunity in 1972 to provide coordination, leadership, and resources to the paralegal movement. The Institute has been focusing on developing training materials and curriculum, as well as developing new models for delivery of legal services utilizing paralegals. NPI became interested in the possibility of older people being trained as paralegals and sought the assistance of the CRLA Office of the National Senior Citizens Law Center in developing relevant materials.

THE CRLA OFFICE OF THE NATIONAL SENIOR CITIZENS LAW CENTER

The California Rural Legal Assistance Office[3] (formerly known as the Senior Citizens Project of CRLA) has had four years of experience in the use of senior citizens as paralegals, and in the development of expertise in the substantive law areas of health and income maintenance. The office has trained and hired its own paralegals and has developed training and reference materials and conducted training programs for paralegals in legal services and in social agencies throughout California.

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1. For information on obtaining the film "The Santa Cruz Story," see attached order form at the end of this handbook.
2. The National Paralegal Institute, 2000 P St., N.W., Washington, D.C. 20036
3. CRLA Office of the National Senior Citizens Law Center, 942 Market St., Suite 606, S.F., Calif. 94102

In 1972 the Office of Economic Opportunity funded the National Senior Citizens Law Center to serve as a central national resource for legal problems of the elderly poor. The CRLA Office is now funded through that center, and thus has shifted its efforts to developing training materials which would have national significance. Therefore the Office welcomed the opportunity to collaborate with the National Paralegal Institute.

The decision was made to develop multi-media packets on such topics as: interviewing and advocacy techniques; how to represent a client at an administrative hearing; and information on substantive areas of the law, such as Medicare and the new federalized adult categorical aids. The topic chosen for highest priority was: **how to set up a model office utilizing senior citizens as paralegals.** Based on its experience in providing training and consultation to paralegal programs, the CRLA office selected as the model office the Senior Citizens Legal Services (SCLS) of the Santa Cruz Legal Aid Society.

The next step was the securing of funding for the packets, particularly for the development of appropriate films.

ADMINISTRATION ON AGING

The National Paralegal Institute in conjunction with the CRLA Office applied for and received a grant from the Administration on Aging[1] to develop the multi-media packets.

The Administration on Aging (AOA) of the Department of Health, Education and Welfare is the federal agency primarily responsible for planning, coordinating, and advocating on behalf of America's elderly. The AOA is committed to generating national resources in order to create new and better ways to serve the elderly. It is also concerned with developing new career opportunities for persons interested in serving the elderly and for the elderly themselves. **All of these efforts are directed toward improving the general quality of life of today's elderly and helping to create the type of society that better understands the aging process and treats its senior citizens with dignity and respect.**

1. Administration on Aging, SRS, Department of H.E.W., Washington, D.C. 20201

THE SANTA CRUZ STORY AND THE NATIONAL PERSPECTIVE

This is a story about one community's efforts to provide quality legal services to the elderly poor through the use of senior citizens as legal assistants. Although the service is uniquely designed to fill the particular needs of the Santa Cruz community, it has applicability as a model elsewhere. We will begin by discussing three issues which are basic to an understanding of the national relevance of the Santa Cruz model. These issues are: **1) the need to provide moderately priced legal services through the use of paralegals; 2) the need to provide new career opportunities to older people; and 3) the need to develop legal services specifically geared to the problems of the elderly poor.**

The audience we hope to reach is varied: attorneys in legal service offices and in the private bar, staff of senior centers and other social service agencies, community planning bodies, and community groups interested in developing a similar program for their own community.

PARALEGALS AND THE HIGH COST OF LEGAL SERVICES

The phenomenon of paralegals[1] has arisen out of the need for reasonably priced services, thus paralleling paraprofessional movements in other high-priced professions such as medicine. The middle-class and working-class can scarcely afford the fees, and often don't seek legal advice until the problem is unsolvable at any price. The very poor do have access in some communities to free legal services provided under the Office of Economic Opportunity program, but, again, the demand far exceeds the supply. Thus, in both the private[2] and public sectors, there have been pressures generated for adequate, reasonably priced legal services for all segments of the community.

The response of lawyers has been mixed. At one end of the spectrum are those who jealously guard their profession's turf by maintaining that *everything* a lawyer does requires "lawyering skill" and can only be done by a lawyer. At the other end are those who think that *many tasks do not require a lawyer*, and, as a matter of fact, can be better accomplished at a much lower cost by a non-lawyer.

The result has been experimentation with several models, some of which are: the legal secretary, who has clearly defined tasks, but assumes no responsibility for direct service to clients; the legal assistant, who has direct contact with the client, but who functions under the close supervision of an attorney; the advocate who works independently of attorney

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1. For a thorough discussion of the paralegal movement, please see: "Expansion of the Lawyering Process Through a New Delivery System: The Emergence and State of Legal Paraprofessionalism," by Lester Brickman, *Columbia Law Review*, Vol. 71, No. 7, November, 1971.
2. *New Careers in Law: Part II*, Robert B. Yegge and Eli Jarmel, Eds., American Bar Association Special Committee on Legal Assistants, 1972.

supervision, perhaps in a social agency.[1] The second model of legal assistant is the one which fits most closely the Santa Cruz experience. It is basically a conservative model, providing for a high degree of accountability, while allowing for delegation of many time-consuming tasks to the paralegal. Thus it seemed like a particularly good choice for publicizing.

NEW CAREERS: SENIOR CITIZENS AS PARALEGALS

In today's competitive job market, the older worker shares with other minorities a severely disadvantaged position. Layoffs, increased technology and mechanization, prolonged periods of national unemployment, discriminatory hiring and job training practices, and progressively lower compulsory age limits for retirement combine to drastically restrict opportunities for older people to secure full or part-time employment. Nevertheless, employment remains the primary source of income for persons 45 to 65 and often a necessary source to supplement inadequate retirement incomes for those 65 and over.

Under current labor force trends, 1 out of every 6 men between 55 and 64 will no longer be in the work force by the time they reach 64, and this ratio is rapidly worsening. Consequently, a large reservoir of untapped and unused talent is building composed of persons 45 - 65 and persons over 65.[2]

Ironically, as the American economy rapidly shifts from a goods producing to a service oriented system, there exists a growing manpower shortage. **The manpower shortage in the human services is estimated at 30%, with the highest shortages for professional personnel.** The paraprofessional movement within the health, social service and legal fields is beginning to respond to this demand for personnel within the human services. Unfortunately, no vehicle exists that effectively links the unused talent of older workers to this unmet demand or to new careers as paraprofessionals within the human services.

The Santa Cruz experiment shows how the older worker can be linked to the human services industry. By using older persons as legal paraprofessionals, the Santa Cruz story demonstrates how accumulated life skills and experience provide the older worker with the essential ingredients for effectively contributing to the provision of quality legal services. The experience has also supported numerous findings on older workers that show their high levels of reliability, productivity and their ability to learn new and demanding skills.[3] For legal services offices, typically plagued by high turnover rates, these qualities of the older worker can provide the needed stability and continuity. The private bar can obviously profit from those same positive characteristics of the older worker. In addition, a pool of part-time workers might be very attractive, especially for the small legal office.[4]

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1. For a complete listing of all functions accomplished by paralegals, see *What Have Paralegals Done? A Dictionary of Functions* by William Statsky, National Paralegal Institute, 1973.
2. *Employment Aspects of the Economics of Aging*, U.S. Government Printing Office, Washington, D.C., 1969.
3. *Background and Issues: Employment*, Document prepared for the 1971 White House Conference on Aging. U.S. Government Printing Office, Washington, D.C., 1971.
4. *The Utilization of Legal Assistants by Law Firms in the United States: Liberating the Lawyer*, American Bar Association Special Committee on Legal Assistants, 1971.

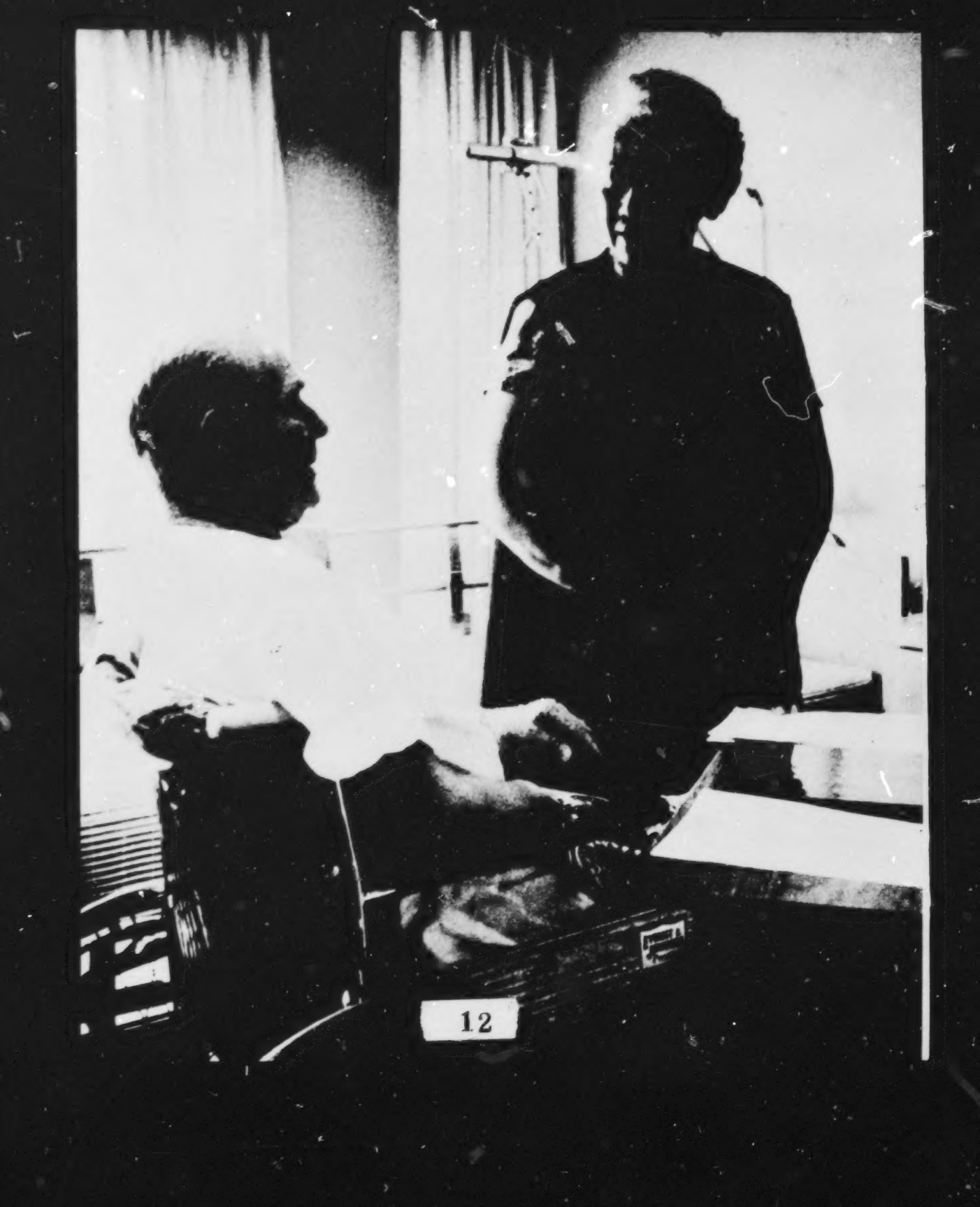
LEGAL SERVICES TO THE ELDERLY POOR

The elderly poor have not received their fair share of services from the legal service offices funded by the Office of Economic Opportunity.[1] Although 20% of the poor are elderly, they represent only 6% of the legal service offices' clientele. This statistic is bad enough, but there is every indication that the situation will get worse. The age group over 65 has the distinction of being the fastest growing population group – 20% versus 12% for the general populace. In addition, it is the only age group to show a rise in the proportion of its members **below the poverty level.**

So why have legal services offices not served this age group? Legal services attorneys are already overburdened with more requests than they can handle, and have tended to respond to the more vocal groups – the young and the ethnic minorities. The life style of young attorneys in legal service offices differs markedly from that of the elderly, which might keep some of the older generation away. In addition, the older person needs to have more time to tell his story, and the tight scheduling, as well as the strict task-orientation of attorneys, would preclude that opportunity. Thus even those who try to enter the legal service system might be turned off. The old lack mobility, and are unaggressive in style, and the needed special efforts, such as home-visiting, would be expensive for a legal service office.

This is why the Santa Cruz model is so attractive. **By using senior citizens as legal assistants, the generation gap is automatically closed.** In addition, there is a built-in understanding of the problems of the elderly. Equally important, because of lower costs, the legal assistant can make *home visits and perform the kind of outreach services* which would be prohibitive if performed by an attorney.

1. *Legal Services to the Elderly*, by Bruce J. Terris, SOS 9 Technical Assistance Monograph, Published by National Council on The Aging, 1972.



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SENIOR CITIZENS LEGAL SERVICES:

THE PEOPLE WHO RUN IT

In these pages you will meet the people who were most intimately involved in the effort to set up a program uniquely designed to meet the needs of the low-income elderly. We want to give you a glimpse of the process they went through in setting up that service and to provide you with useful information based on their experiences in running it.

The Senior Citizens Legal Services is a paraprofessional unit of the Legal Aid Society of Santa Cruz County. It has a separate office and maintains a separate identity. The office is staffed by two legal assistants, Ezetta Dawson and Jack Keefauver, and one office assistant, Connie Keefauver. Other staff include a part-time attorney, Richard McAdams, from the Legal Aid Society, and part-time student volunteers, Jeff Krumm and Valerie Menager.

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CONNIE KEEFAUVER

Office Assistant

The office assistant plays a key role by setting the tone of warmth and comfort for the elderly in their first contact with the office.

Duties

1. screens calls or drop-ins to determine if client is eligible for services and if the problem can be handled by the office; also decides if the client needs an emergency appointment;

2. refers those persons who are not eligible or whose problem is outside the competence of the office;

3. sets appointments for the initial client interview with the legal assistant who has the first time available;

4. greets clients on their arrival, secures minimal data, and introduces client to the legal assistant;

5. sets up client file and card index;

6. monitors the tickler system;

7. keeps the office statistics;

8. performs general secretarial duties.

EZETTA DAWSON and JACK KEEFAUVER

Legal Assistants

The legal assistant provides the linkage with the client community by the ability to establish rapport and to understand and advocate for the needs of the elderly.

Duties

1. conducts all first interviews with clients, either in the office or in their home or institution;

2. conducts subsequent interviews with clients, when appropriate;

3. investigates all pertinent facts and secures essential documentation;

4. prepares the case for attorney review, together with recommendations for possible case action;

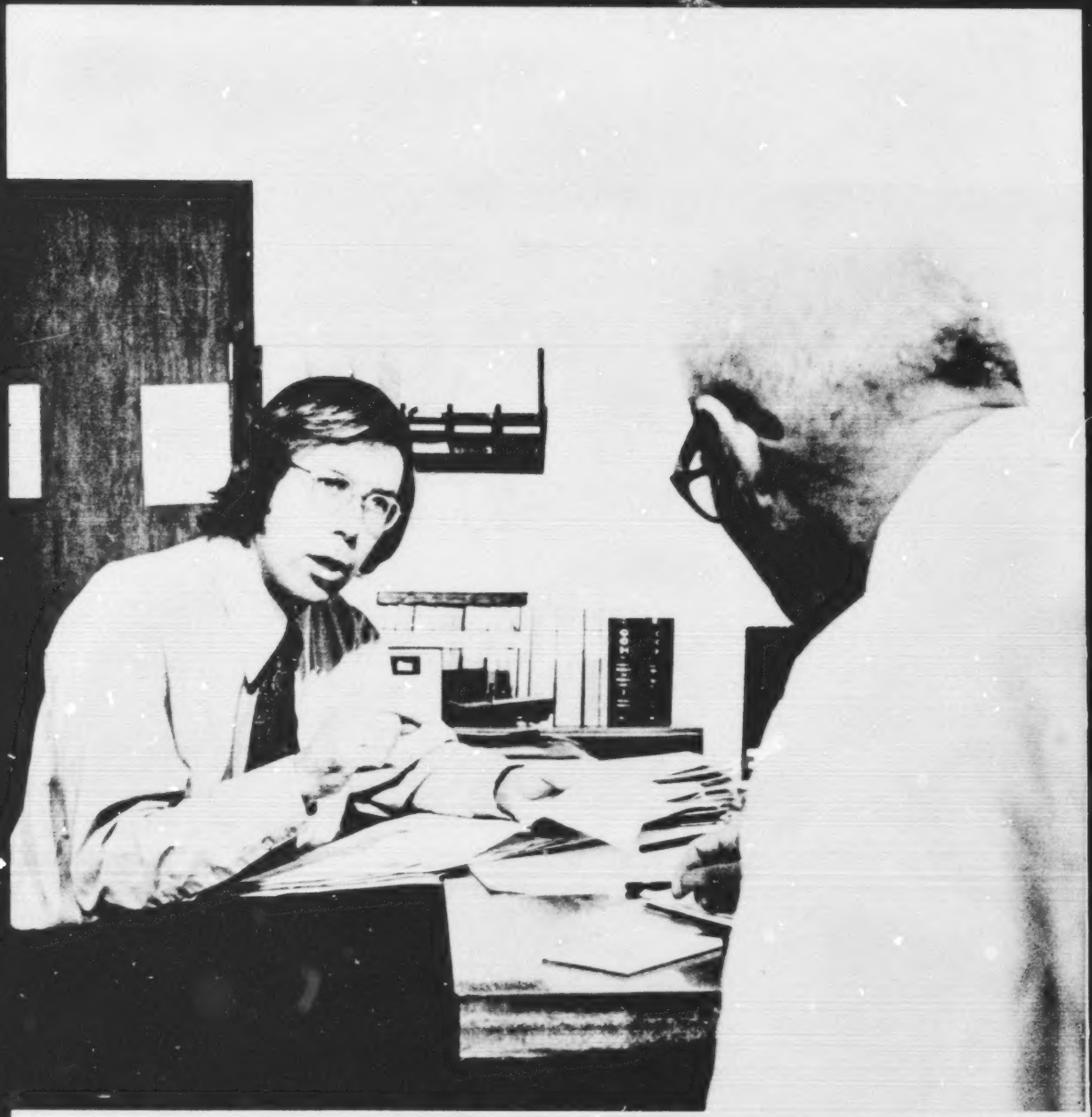
5. discusses the case with the attorney, with a joint decision on appropriate case action;

6. implements the case action, such as advice-giving, informal advocacy (negotiation), formal advocacy (representation at an administrative hearing);

7. educates client groups on their rights and on how to utilize legal services;

8. serves as community liaison;

9. provides information on services of the office through skilled use of the media.



RICHARD McADAMS

Attorney

The attorney appreciates the special abilities and perspective which older persons bring to legal assisting. His primary role of supervisor springs from the legal responsibility which he carries for case action. The basic tool which he uses in carrying out this responsibility is called "attorney review." The components involved in this process are as follows:

1. reviews the file after the first interview and on a periodic basis thereafter;
2. develops, together with the legal assistant, a plan for action, which could include advice-giving, informal advocacy, or formal advocacy;
3. monitors the cases to make sure planned action is executed promptly;
4. decides which cases can be handled to a conclusion by the legal assistant and which need his direct intervention.

Other duties include:

1. education of the legal assistant on legal principles through case discussion in the attorney review process;
2. education of the total staff through seminars and through bringing in outside experts;
3. education of community groups about legal issues;
4. education of the general public through skilled use of the media;
5. litigation;
6. legislative advocacy.

JEFF KRUMM and VALERIE MENAGER

College Student Volunteers

The student volunteer appreciates the opportunity to work with the legal assistant and to learn about the special perspective of the senior citizen, as well as about legal problems of the elderly poor. The student provides behind-the-scenes support to the legal assistant through a variety of actions, some of which are:

1. help in research; for example, doing library research on an important legal issue;
2. help in investigation; for example, photographing evidence;
3. design and distribution of educational materials;
4. transporting clients and legal assistants;
5. running errands.

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SENIOR CITIZENS LEGAL SERVICES:

HOW IT GOT STARTED

Developing the Idea

Richard McAdams, an attorney at Santa Cruz Legal Aid Society, knew that the Legal Aid Office was not reaching the elderly poor. Less than 5% of their client population was elderly, in spite of the fact that over 40% of the poor in Santa Cruz were elderly. Various attempts had been made to reach that population, but with no success.

From discussions with groups of senior citizens, as well as with some of his own clients who were elderly, Mr. McAdams became convinced that the idea of a separate legal service office specializing in the legal problems of the elderly and staffed by senior citizen paralegals would work.

Committed to the idea, Mr. McAdams brought together a core group of dedicated senior citizen and student volunteers who had expressed strong interest in this approach. From that moment on, the group acted in concert, developing the data and making the kind of decisions that could result in an effective legal service office for senior citizens.

Getting the Information

Although the group had some basic demographic information about the senior citizen population, additional data was required to determine the size of the potential client population, the size of the caseload such a population might generate, and which of the elderly's "legal needs" were being met in other ways by existing social service agencies.

This investigation took two basic forms: (1) collecting and analyzing existing data, directories, studies and reports pertinent to the senior citizen population; and (2) interviewing community leaders and agency personnel about the problems of and services for senior citizens. The types of agencies and organizations contacted were:

- U.S. Census Bureau
- Senior citizen organizations and centers
- Social Security office
- Local health, welfare and planning departments
- Community Action Agency
- United Way or United Fund
- Chamber of Commerce
- Park and Recreation Department
- Community self-help groups
- Ministerial associations
- County Medical Society
- Members of the private bar
- Colleges and Universities
- Newspapers, TV and radio stations

As a result of this investigation, the group estimated a client population of between 12 to 15 thousand low-income elderly. The group also discovered that legal problems of the elderly were commonly acknowledged in the community but that there was no agency to effectively deal with them. Some form of legal services for the elderly poor was necessary but the need for such services seemed to far outweigh the group's ability to meet the anticipated demand.

The process of surveying the community to gather information generated other benefits. It helped the group:

- to further develop the idea;
- to gain community interest and support for the idea;
- to develop personal contacts with the public media;
- to develop the basis for mutual referral systems.

SENIOR CITIZENS LEGAL SERVICES OPERATING BUDGET

From May 1, 1972, to April 30, 1973

PERSONNEL*	TIME	IN-KIND CONTRIBUTIONS	
Supervising Attorney	20%	$ 2,600	(1)
2 Legal Assistants ($550/mo.)	100%	13,200	(2) (4)
Office Assistant ($500/mo.)	100%	6,000	(4)
		$21,800	
Benefits at 12% for Atty/1 Legal Asst.		1,104	(1) (2)
TOTAL PERSONNEL COSTS		**$22,904**	

NONPERSONNEL**	PER MO.		
Space Costs/Utilities	$100	$ 1,200	(1) (2) (3)
Rent and Lease of Equipment	25	300	(2) (3)
Consumable Supplies and Postage	15	180	(3)
Travel Expenses	35	420	(1) (3)
Community Information and Education Materials	—	600	(3)
Periodicals/Law Books	—	600	(3)
Miscellaneous	25	300	(1) (2) (3)
TOTAL NON-PERSONNEL		$ 3,900	
TOTAL PROGRAM BUDGET		**$26,804**	

CONTRIBUTORS

(1) Santa Cruz Legal Aid Society Program
(2) Community Action Board (CAP)
(3) University of California at Santa Cruz, Community Action Division
(4) Volunteer time

* Note, personnel costs do not include student volunteer time.

** Costs incurred at the outset totalled $3,500 and included: location costs, purchase of equipment and Basic Law Library, and costs for Training Session prior to office opening. Note, all costs covered by in-kind contributions.

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Getting the Money

Adequate funding, either in money or in-kind contributions, is critical for the successful implementation of any idea. This group showed creativity in tapping a variety of sources, as follows:

From the Legal Aid Society: 1 part-time supervising attorney, 1 part-time legal secretary, consumable supplies;

From the Community Action Board: 1 full-time paid staff person and some supplies, such as desk, file cabinet, chairs;

From the University of California at Santa Cruz: student volunteers, telephone, office equipment and legal research materials;

From the California Rural Legal Assistance Office of the National Senior Citizens Law Center: training, consultation, back-up litigation assistance.

In assessing these resources, the group decided that the only way that this needed service could be started was through the use of volunteers. Two senior citizens and three students from the group offered to volunteer their time.

The group was also made aware that such a resource base was inadequate to insure high quality legal services to the elderly poor on a continuing basis. They were convinced, however, that if the service could be started it would demonstrate the validity of the approach and serve as the basis for a more permanent funding arrangement. The Senior Citizens Legal Services operating budget for the first year of operation appears on the facing page.

For the past six months the SCLS office has been seeking a more permanent source of funding. With the assistance of the CRLA office of the National Senior Citizens Law Center proposals have been submitted to the California State Commission on Aging, for a Title III grant and to HEW's Social and Rehabilitation Services Administration on Aging for a Title IV grant. Since the potential for federal funding is extremely uncertain, the staff has also interested an official from the Administration of the University of California at Santa Cruz familiar with foundation sources to assist them in securing private funding for the program.

In addition, the office has submitted a proposal to the Santa Cruz Board of Supervisors for operating funds from revenue sharing.

Despite the creativity and persistence of the SCLS office in seeking a more permanent funding arrangement, no permanent source of funding has been secured at this time. (Refer to pages 28 and 29 for a discussion of potential funding sources.)

FUNDING SOURCES

A large number of public and private sources exist that provide funding for programs. The problem is to determine which source or combination of sources to approach for your type of program. The funding sources listed below are examples of public and private organizations that have demonstrated some concern for the problems of senior citizens and/or interest in the development of more effective legal and social service delivery systems for the poor.

I. **PUBLIC FUNDING:** At the present time, the possibilities of government funding either on a federal or state level are extremely uncertain. However, there is potential. In recent years Congress has created new programs and allocated increasingly more money for serving the elderly. Although the Office of Economic Opportunity is presently in crisis, it seems certain that OEO's Division of Legal Services will continue in the form of a national legal services corporation. State and local revenue sharing also offers some possibilities for funding social service programs, especially those serving the poor and the elderly.

Government agencies primarily interested in the elderly and/or in the delivery of legal services include:

ADMINISTRATION ON AGING, SRS
Department of H.E.W.
Washington, D.C. 20201
(Title IV Research and Development Grants)

STATE COMMISSIONS ON AGING
(Title III Planning and Service Grants)

U.S. DEPARTMENT OF LABOR
MANPOWER ADMINISTRATION
Washington, D.C. 20210
(Program Titles: Public Service Careers, New Career Opportunities for the Handicapped, Operation Mainstream)

OFFICE OF LEGAL SERVICES
OFFICE OF ECONOMIC OPPORTUNITY
1200 - 19th Street, N.W.
Washington, D.C. 20037

STATE GOVERNMENT AND COUNTY BOARDS OF SUPERVISORS (Revenue Sharing Money)

Other Government Sources:

STATE ATTORNEY GENERAL

DISTRICT ATTORNEY OR PUBLIC DEFENDERS OFFICE

STATE AND COUNTY DEPARTMENTS OF PUBLIC WELFARE AND CONSUMER PROTECTION

STATE VOCATIONAL AND REHABILITATION OFFICES

II. **PRIVATE FUNDING:** Although Foundations and Local United Funds are still the main source of private funding, banks, large businesses, and corporations are beginning to demonstrate increased social concern and responsibility. In fact, they might prove to be the most important funding source of the future. An excellent example of this new potential is the Southern California First National Bank's[1] program of social responsibility in relation to the large elderly population of San Diego. The Bank developed, planned, and provided seed money for a multi-service center for senior citizens. The center plans to provide a comprehensive set of services. Initially, however, services will include information and referral, a health and a legal clinic. Other service components will be added in time as funds become available. Under the Bank's leadership, all funds for the center will be generated from the business community, local government, and private individuals.

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1. For further information, contact Ms. Mavoureen O'Connor, Director, Senior Citizens Center, Southern California First National Bank, 530 "B" Street, Suite 700, San Diego, CA 92112.

Foundations are another potential funding source. Seeking foundation funding, however, is a demanding and oftentimes a bewildering task. Since there are so many different foundations, with a variety of goals, priorities, and funding criteria, it is difficult to know which foundation to approach for funding what type of program. **The Foundation Directory** can be of great help. (The Foundation Directory, 4th Ed., Marianne O. Lewis, Editor, Columbia University Press, N.Y., 1971) [1] The Directory:

- contains names, addresses, contact person for most foundations in the U.S.;
- indexes foundations by state and by area of general interest;
- summarizes foundation's purposes, priorities and general funding criteria;
- indicates size of foundation, amount of assets;
- lists the amount, purpose, and recipient of recent major grants.

In approaching foundations, stress the experimental nature of the program and its potential as a model. Do not request funds solely for operating costs of a present program. Also be sure to emphasize the financial and in-kind support of the local community as well as a plan for evaluating the program.

Examples of foundations that have demonstrated some interest in the elderly and/or in the delivery of legal services are:

FORD FOUNDATION
320 E. 43rd Street
New York, N.Y. 10017

LUCE FOUNDATION
111 W. 50th Street
New York, N.Y. 10020

ROCKEFELLER BROS. FUND
30 Rockefeller Plaza
New York, N. Y.

FLEISCHMAN FOUNDATION
P.O. Box 1871
195 So. Sierra Street
Reno, Nevada 89505

VAN AMERINGEN FOUNDATION, N.Y.
509 Madison Avenue
New York, N.Y. 10022

Other Private Sources:
BANKS, BUSINESSES, CORPORATIONS
UNITED FUNDS
LABOR UNIONS
LOCAL UNIVERSITIES, COMMUNITY COLLEGES
SENIOR CITIZEN CENTERS, ORGANIZATIONS
CHURCHES

1. Similar information is provided in the "Foundation News," published by the Foundation Library Center, 444 Madison Ave., N.Y., N.Y.

Determining Staff Size and Composition

The group, which was operating with such a limited budget, decided that the most critical factor in determining staff size and composition was the amount of attorney time available to them. Since the Legal Aid Society had agreed that Richard McAdams could give ten hours per week to the program, the group decided that two legal assistants would be enough to supervise, particularly since the program was new and experimental. This would give the attorney time to supervise and train the staff, as well as perform his other duties.

The group also decided that the office could not function without a combination receptionist/general secretary, and thus decided on the position of office assistant. Since students had been participating in the group, and wanted to continue to help, they were welcomed as back-up support to the core staff.

If one were to start such an office with a more adequate budget, staff size and composition would still be difficult to determine because of the many variables to be considered such as:

- the size of the potential client population and the size of caseload such a population might generate;
- the legal problems presented by the client population and the decisions about which problems would be selected;
- the degree to which the office used legal systems and systems management concepts;[1]
- the number of cases a legal assistant could handle, which in turn would be partly determined by the organization of the office;
- the number of legal assistants an attorney could supervise, which in turn would depend on the training of the legal assistants, as well as the organization of the office (e.g., use of legal systems and systems management concepts).

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1. A legal system translates a substantive area of the law into laymen's language and provides guidelines for case action. For further information write to John Kelly, Director, Legal Systems, 345 Franklin St., San Francisco, CA 94102.

Locating and Designing the Office

The primary goal of the group was to have the office location and design reflect the needs and pace of life of the senior citizen clientele. That goal was realized by having the senior citizens in the group take major responsibility for this planning task.

The most important decision was to have a separately located office. This decision was based on the theory that a separate office uniquely designed to reflect the pace-of-life of the elderly and to respect their sense of pride would be a major factor in overcoming their previous fear and reluctance to use legal services.

Other decisions made by the group:

- the location be in a high concentration of the elderly;
- public transportation easily accessible;
- no stairs to impede accessibility;
- the lighting be adequate, and the waiting room be comfortable;
- the supply of straight-backed chairs be adequate;
- the decor be in a style pleasing to the elderly.

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POSITION DESCRIPTION

I. **POSITION TITLE: LEGAL ASSISTANT**

II. **DUTIES AND RESPONSIBILITIES:**

A. Purpose of Position: To represent individuals and groups of senior citizens (62 or over) in securing their full entitlements and maximum benefits from health care, income maintenance, housing, and social service programs and to protect their rights as consumers.

B. Specific Duties and Responsibilities:

1. conduct all initial client interviews;
2. under attorney supervision, initiate, research, investigate, plan, carry out and terminate a client case;
3. implement case action on behalf of client, including advice-giving, informal advocacy (negotiation), and formal advocacy (representation of client at administrative hearing);
4. work with attorney and student volunteers on special research projects;
5. educate client groups on their rights and on how to utilize legal services;
6. provide information on services of the office through skilled use of the media;
7. participate in on-going staff training programs.

C. SUPERVISOR: Supervising attorney.

D. SUPERVISEES: Student volunteers.

III. **QUALIFICATION CRITERIA**

A. Age: 55 years of age or over.

B. Education: No formal education required. Functional literacy required. Good speaking and writing ability desirable.

C. Work Experience: Experience in working with people, and/or work in fields related to health care, income maintenance, housing, consumer affairs, social services, etc. is desirable, but not required.

D. Personal: Emphasis will be placed on the individual's "life experiences," especially as they relate to the person's awareness of the problems of elderly persons, attitudes toward the poor and ability and committment to act on behalf of senior citizens.

E. Other: All applicants must also be willing to participate in a training program prior to office opening.

IV. **SALARY:** $550/mo., plus fringe benefits.

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Recruiting and Selecting Staff

The core group planning the legal service provided a natural source from which to recruit staff for the Senior Citizens Legal Services office. Ordinarily, staff recruitment is not such a natural process but a carefully planned one. Planning considerations usually include:

- development of carefully written job descriptions;[1]
- selective distribution of job descriptions to personal contacts made while planning the service and to senior centers and organizations;
- using the media to attract qualified personnel.

The selection criteria for the staff of the Senior Citizens Legal Services office were carefully determined. The group agreed that staff selection should be based on objective criteria contained in written job descriptions and that the designated supervising attorney should have the final authority in selecting staff. The most important selection criteria included:

- a critical assessment of individual group members' skills in relation to the tasks necessary to run a legal office. Special emphasis was placed on the individual's ability to read and to speak and write clearly.
- a careful evaluation of the individual's "life experiences." Special consideration was given to the degree of empathy and awareness the individuals had of the problems of low-income elderly persons and the degree of committment they had to act on behalf of senior citizens to try to solve some of these problems.

1. Sample job description for the Legal Assistant appears on the facing page.

Training of Staff

The group recognized the need for training before the doors opened, as well as for training on an on-going basis. An important part of the training would be provided on-the-job through the supervision of the attorney. But the group agreed that in order to function effectively, the entire staff – office assistant, legal assistants and students – should receive formal training. Since the Legal Aid Society of Santa Cruz County did not have the resources to provide such training, they turned to the California Rural Legal Assistance Office of the National Senior Citizens Law Center. The CRLA Office agreed to provide training in the areas of their expertise: health and income maintenance.

The training was conducted primarily by two CRLA staff members, working as a team, using materials developed by them. The training sessions were three hours in length, four days a week, for one month. All trainees were provided with loose-leaf binders which contained substantive information in the following areas:[1]

- **Income Maintenance:** Welfare (Old Age Security, Aid to the Totally Disabled, Aid to the Blind, General Relief); Old Age, Survivors and Disability Insurance (OASDI); Veterans Benefits.
- **Food Programs:** Food Stamps and Surplus Food (Commodities).
- **Health:** Medicare and Medi-Cal (Medicaid).
- **Living Arrangements:** Board and Care Homes, Nursing Homes, Extended Care Facilities.
- **Supportive Services:** Attendant Care, Guardianships, Protectorships, Protective Payees, Home Health Benefits.
- **Rights of Clients under State and Federal Programs:** Fair Hearing for Welfare and Medi-Cal (Medicaid); Administrative Appeals for Old Age, Survivors and Disability Insurance and Medicare; General Rights of Notice; Right to Representation.

The trainees were also provided with an Advocate's Handbook, which gave background information on seniors as a minority group, interviewing techniques and advocacy techniques.[2]

A variety of teaching techniques were utilized, e.g., role-playing, lectures, films, written and verbal tests. There was heavy emphasis on the need to work independently, to utilize reference books, such as the public welfare manual, the Social Security Handbook, and the statutes, as well as to rely on the trainee's own resourcefulness and creativity. Accountability was repeatedly stressed; and the keeping of accurate, legible and comprehensive client files was seen as a method of being accountable.

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1. Can be purchased from National Clearinghouse for Legal Services, Northwestern University School of Law, 710 N. Lake Shore Drive, Chicago, ILL 60611. Entitled: *"Helping California's Older Citizens: An Analysis of State and Federal Medical and Financial Assistance Programs,"* by Wanda R. Collins and Jean Flanagan. Free to legal service attorneys and $3.50 for others.

2. *Advocate's Handbook*, $1.50 from the CRLA Office, National Senior Citizens Law Center, 942 Market Street, Suite 606, San Francisco, CA 94102

Developing Office Policy

In developing policies for Senior Citizens Legal Services, the group was guided by certain policy decisions that had already been made nationally by OEO Legal Services and locally by the Legal Aid Society's Board of Directors.

- strict OEO income eligibility requirements;
- OEO requirements that criminal and fee-generating cases could not be handled by legal services programs;
- Legal Aid Society's policy to spend a substantial amount of time on impact work.

Besides these general policy guidelines, the group was further constrained in determining program policy by limited financial resources and a small staff size. The large potential client population of between 12,000 - 15,000 low-income elderly posed the very real problem of client demand far exceeding the program's ability to supply necessary services in an effective and professional manner. Unless the anticipated large client caseload could be limited, the overload would adversely affect the quality of the service. It also threatened the pace and atmosphere the group felt essential to maintain in serving senior citizens.

- **Priority to handle cases that reflect the most pressing legal problems of the elderly client population.** From the community survey, the group discovered that the problems of consumer fraud, administrative law (Social Security, Welfare, Medicare, etc.) and housing problems were the most pressing for the low-income elderly. (For further explanation, refer to page 44, "The Office Policy and Priorities."
- **The age requirement was set at 62 years of age or over.** The rationale was based on the fact that persons 62 or over had the most pressing unmet legal problems.[1] The group decided against using the 55 and over age requirement common to many programs serving senior citizens because their legal problems were being satisfactorily handled by the Legal Aid Society, especially by its specialized disability unit.
- **Interviews were to be scheduled at the elderly's residence,** i.e., home, apartment or institution, when health or related mobility problems made office interviews impossible.
- **Office policy and priorities would be subject to periodic review.** Frequent evaluation of the service would ensure the flexibility for needed policy and priority changes.

The group hoped that these policies, especially the case priority and the age requirement, would act as effective forms of caseload control. **Caseload control would help guarantee program responsiveness to as many elderly persons as possible and quality service in the areas of their greatest need.**

1. In the first 8 months of operation, 59% of the office's clients were 70 years of age or older. 21% of the over 70 client population were 80 or over.

PREPARING FOR A PRESS CONFERENCE

1. Send announcements to all media at least one week before the conference. The day before the conference, check back to remind the media about the conference and to find out if they are sending someone to cover the event.

2. Announcements should include the reason for the conference; the date, time and place; and the person to contact for further information.

3. Press release packages should be prepared for distribution at the conference.

4. Press release packages should be hand delivered to media representatives who fail to attend the conference.

SENIOR CITIZENS LEGAL SERVICES PRESS MEETING:
MAY 11 at 10:00

We at the Legal Aid Society have just opened a new office, known as Senior Citizens Legal Services, to better serve the special legal needs of low-income people 62 and over.

This event brings distinction to Santa Cruz County since Senior Citizens Legal Services is one of the few law offices in the United States staffed by paraprofessionals or legal assistants handling cases under the supervision of an attorney. Furthermore, it is significant that the paraprofessional staff is composed of "teams" of seniors and students.

In order to discuss this unique, new office, to introduce the staff, and to reach the elderly in our community to explain our services, we invite you to a press meeting on Thursday, May 11, 1972, at 10:00 a.m., at 1835 Soquel Avenue (Office E), Santa Cruz. A map is included in the attached flyer.

Releases and photographs will be available at the meeting.

For further information, please contact Richard McAdams at 426-6157 or 426-8824.

Cordially,

RICHARD McADAMS
Supervising Attorney

Publicizing Office Opening

Publicizing a new service is the most important use an office might ever make of the media. Extensive coverage will provide staff the opportunity to discuss the need for the new program and the type of services offered, as well as the opportunity to reach the client population and gain general community support.

The staff at the Senior Citizens Legal Services office carefully planned a press conference and a series of press releases to announce the office opening.[1] The "Opening" was extensively covered by the newspapers and by radio and TV stations. In addition to careful planning, the important ingredients for this effective coverage were **(1) the group's cultivation of personal relationships with selected members of the media; (2) having one person responsible for coordinating and giving direction to the entire staff's participation in the media campaign.**

Other components of the campaign included:

- sending invitations to the office opening to all interested agencies, organizations, and individuals contacted during the community survey;
- listing of all local media sources;
- deciding what form of media, or combination of forms, would be most appropriate for the message;
- preparing for and participating in TV and radio interview and talk shows;
- preparing and distributing pamphlets, leaflets and posters.

1. Refer to the facing page for a sample of the announcement the office used in calling a press conference. On the following page is an example of the type of press coverage received.

WATSONVILLE
Register-Pajaronian
Second Section
Friday, May 19, 1972

Legal aid services offered elderly poor

Senior legal assistant Jack Keefauver

Legal services for low income people over 61 are available through a new office just opened in Santa Cruz by the Legal Aid Society.

The office, using a mixture of elderly people and students who work under supervision of a lawyer, handles problems involving consumer difficulties, housing disputes, money and welfare, Medicare and Medi-Cal. (It will not handle criminal cases, bankruptcies or civil claims).

The use here of paraprofessionals or legal assistants trained and supervised by a lawyer to provide legal services has drawn widespread interest.

The staff, under lawyer ruchard McAdams, includes a full time worker, Ezetta Dawson, part time legal assistants Jack Keefauver and Connie Keefauver, as well as UCSC volunteers Rachael Grossman, Claire McAdams and Michael Olexo.

Services are available to people over 61 with monthly incomes limited to $210 for a single person and $250 for two.

The new office, located at 1835 Soquel Ave., is open Monday through Friday from 9 a.m. until 5 p.m. (phone 426-8824). Norman S. Nayfach is directing attorney.

Volunteer Rachael Grossman

PREPARING A PRESS RELEASE PACKAGE
FOR NEWSPAPERS, RADIO AND TELEVISION STATIONS

1. Check with the press office, radio or T.V. station to find out about deadlines and special regulations.

2. Write your own story. Be specific and brief. Explain the who, what, where, why and when of the event.

3. If pictures are included, list the persons in the photograph from left to right.

4. Deliver the press release package in person. If possible, try to deliver the releases to all press, radio or T.V. offices simultaneously.

(Refer to facing page for a sample of actual coverage the office received.)

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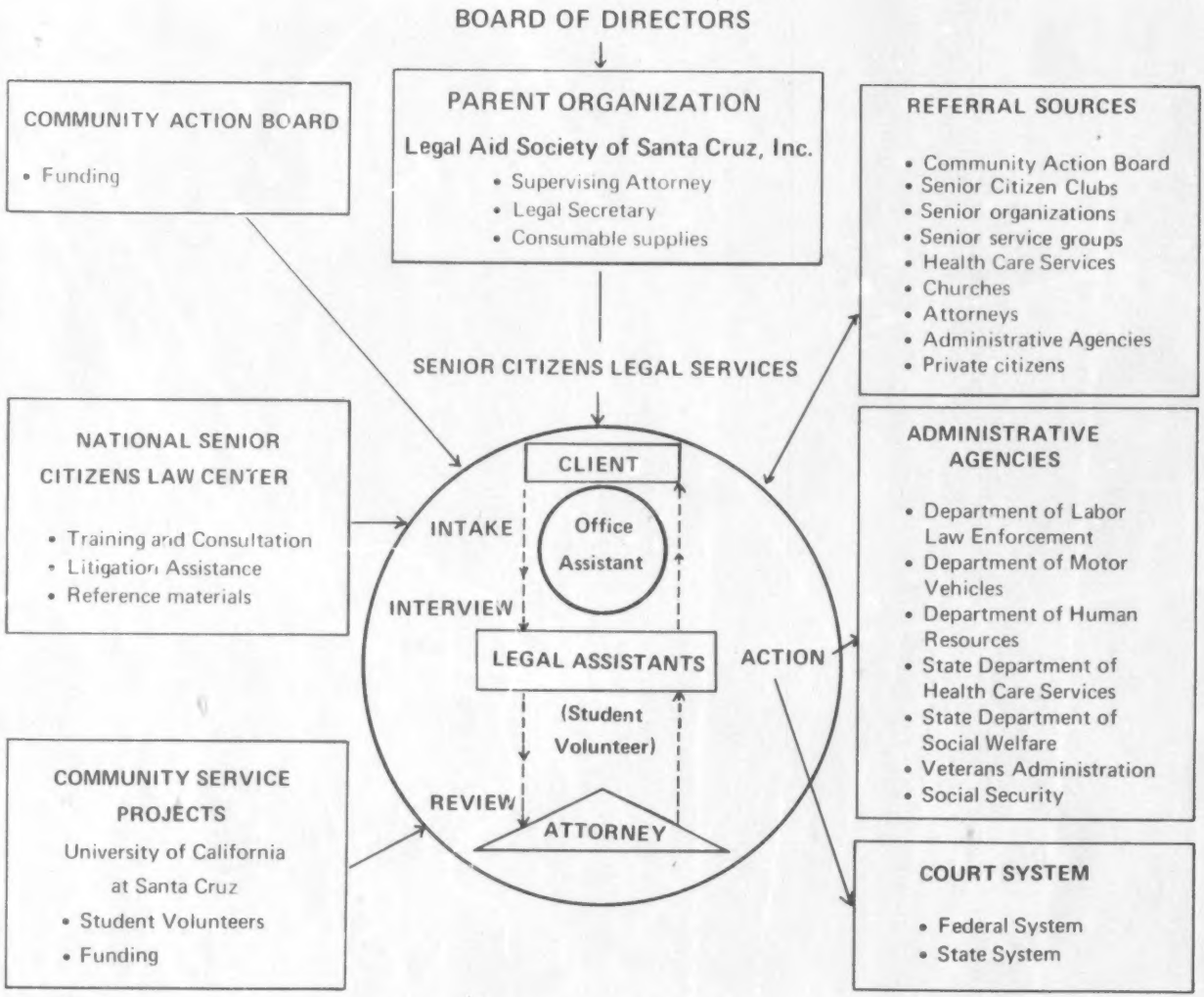
SENIOR CITIZENS LEGAL SERVICES
LEGAL SERVICES FOR LOW INCOME PEOPLE: 62 & over
call or come in / mon.-fri. 8:30-4:30
1835 SOQUEL AVE., SANTA CRUZ 426-8824
UNIT OF THE LEGAL AID SOCIETY, INC.

SENIOR CITIZENS LEGAL SERVICES: THE DOOR OPENS

Senior Citizens Legal Services opened in April, 1972, prepared to meet its goals:

- To expand the availability of legal services to low-income senior citizens in Santa Cruz County;
- To provide legal services for the elderly poor in a manner and setting which maintains their dignity and self-respect;
- To provide occupational and volunteer opportunities for senior citizens and to utilize the resources and life experience of the elderly in assisting others within their community;
- To act on the common legal problems of the elderly.


BOARD OF DIRECTORS
COMMUNITY ACTION BOARD
• Funding
PARENT ORGANIZATION
Legal Aid Society of Santa Cruz, Inc.
• Supervising Attorney
• Legal Secretary
• Consumable supplies
REFERRAL SOURCES
• Community Action Board
• Senior Citizen Clubs
• Senior organizations
• Senior service groups
• Health Care Services
• Churches
• Attorneys
• Administrative Agencies
• Private citizens
SENIOR CITIZENS LEGAL SERVICES
NATIONAL SENIOR CITIZENS LAW CENTER
• Training and Consultation
• Litigation Assistance
• Reference materials
CLIENT
INTAKE
Office Assistant
INTERVIEW
LEGAL ASSISTANTS
(Student Volunteer)
REVIEW
ATTORNEY
ACTION
ADMINISTRATIVE AGENCIES
• Department of Labor Law Enforcement
• Department of Motor Vehicles
• Department of Human Resources
• State Department of Health Care Services
• State Department of Social Welfare
• Veterans Administration
• Social Security
COMMUNITY SERVICE PROJECTS
University of California at Santa Cruz
• Student Volunteers
• Funding
COURT SYSTEM
• Federal System
• State System

SENIOR CITIZENS LEGAL SERVICES: HOW IT WORKS

The Governing Board

The Senior Citizens Legal Services is governed by the Santa Cruz Legal Aid Society's Board of Directors, which has been an enthusiastic supporter of the specialized program for the elderly poor.

To ensure that a Board provides that kind of support on an on-going basis, it might be wise to have a Senior Advisory Council built into the Board structure. Another alternative is to have certain Board positions reserved for senior citizens. The goal would be to ensure sensitivity to the problems of seniors and a commitment to giving those problems priority in program planning.

A governing board ideally serves as a protector of the legal services office, and as a buffer between it and certain segments of the community which might object to its vigorous activities on behalf of the client community.

Other functions include:

- **fund raiser;**
- **generator of community support;**
- **policy maker;**
- **selector of the directing attorney;**
- **ultimate responsibility for the overall program.**

The Office Policy and Priorities

The staff had developed some basic policies before the doors of the office opened. There were pre-existing policies, such as those of the Federal OEO Legal Services, as well as of the local Legal Aid Society. However, the staff developed a group mechanism for arriving at policy decisions within those constraints. Equally important, the group had a commitment to constantly review the office policies and priorities to make sure that they were helping to meet the goals of the office.

The most important policy that legal services offices must set is that of program priorities. Based on the data collected before opening, **the group decided that the most important "survival" problems of the low-income elderly would be given priority:**

- **income maintenance problems,**
- **health problems,**
- **landlord-tenant problems,**
- **home ownership problems,**
- **consumer fraud.**

Their experience has confirmed that these are indeed the problems that preoccupy the low-income elderly, as evidenced by the people who have come to Senior Citizens Legal Services office. The office did get numerous requests for help with another problem—wills—but after testing out the time involved, decided not to provide that service. Instead, they developed an alternative solution: a panel of lawyers who agreed to provide the service for a minimal fee.

It is obvious that the legal problems selected will vary, depending on the local conditions. The important point is that **decisions must be made about which legal problems to focus on,** and those decisions must be constantly reviewed, in view of caseload and quality control problems.

FORM NO. 1

Legal Assistant _____ **File No.** _____

CLIENT INTAKE, CLOSING AND STATISTICAL SHEET

CLIENT NAME _____ DATE OPENED _____

Social Security Number _____ DATE CLOSED _____

Address: _____

_____

Phone _____

SEX: M F AGE _____

MARITAL STATUS: S M D W Sep.

IS APPLICANT HEAD OF HOUSEHOLD? _____

ETHNICITY: (Circle One)

1. American Indian
2. Black
3. Caucasian
4. Oriental
5. Filipino
6. Spanish Surname
7. Other

SPOUSE/FRIEND _____

Address _____

_____

Phone _____

Number of DEPENDENTS not including Spouse _____

PREVIOUSLY SERVED: Yes No

REFERRED BY: (Circle One)

1. Health Agency
2. Welfare Agency
3. Other Social Agency
4. Publicity/Community Education
5. Client organization
6. Former client
7. Other _____

INCOME:

OAS/ATD/AB/AFDC/GA _____
SOC. SEC.: OLD AGE _____
SOC. SEC.: DISABIL. _____
STATE UNEMPLOYMENT _____
STATE DISABILITY _____
VETERANS PENSION _____
OTHER _____
TOTAL: _____

ASSETS:

BANK/SAVINGS _____
HOME/OTHER PROP. _____
MOTOR VEHICLE _____
LIFE INS. VALUE _____
TOTAL: _____

LIABILITIES:

TOTAL DEBTS _____
MONTHLY DEBT PYMT. _____

IS APPLICANT ELIGIBLE FOR OUR SERVICES?
Yes No
If questionable, please explain:

_____

_____

PLEASE TURN TO FORM NO. 2 AND SELECT THE APPROPRIATE PROBLEM.

List the numbers in the proper sections below. As the case proceeds fill in the appropriate spaces with numbers indicating the actions taken and the results obtained.

PROBLEM	ACTION	RESULTS

Client satisfied? Yes No

FORM NO. 2

LIST OF PROBLEMS

1. OAS/ATD/AB/AFDC/GA
   a) application b) denial c) amount d) termination e) harassment f) information
2. SOCIAL SECURITY DISABILITY
   a) application b) denial c) amount d) termination e) information
3. SOCIAL SECURITY OLD AGE
   a) application b) denial c) amount d) information
4. VETERANS BENEFITS
   a) application b) denial c) amount d) termination e) information
5. MEDI-CAL (MEDICAID)
   a) application b) denial c) termination d) information
6. MEDICARE
   a) billing b) information c) denial-eligibility d) denial-coverage e) harassment
7. LANDLORD TENANT (Private)
   a) eviction b) rent increase c) code enforcement d) information e) harassment
8. LANDLORD TENANT (Public)
   a) application b) denial c) eviction d) rent increase e) code enforcement f) information g) harassment
9. HOME OWNERSHIP
   a) taxes b) foreclosure c) information
10. CONSUMER
    a) garnishment b) repossession c) defective goods d) billing e) work unsatisfactory f) price unsatisfactory g) harassment h) contract

LIST OF ACTIONS

1. Referral
2. Investigation
3. Advice given to client
4. Client education
5. Informal advocacy
6. Formal advocacy (Adm. hearing)
7. Court action
8. No action

LIST OF RESULTS

1. Success
2. Partial Success
3. No Success
4. Result unknown
5. Client handling own case
6. Other organization handling case
7. No resource available
8. Case has no merit

The Office Procedures

The staff of Senior Citizens Legal Services has been very conscious of the experimental nature of their enterprise, and the need for accountability, not only to the general public, but also to their own governing board, and to their clientele. They have spent a considerable amount of time designing and redesigning office procedures to ensure accountability, and at the same time not burden the staff with needless and essentially wasteful paperwork.

In devising the procedures, the staff wanted to be sure that no case or client is "lost", that action is prompt on each case, and that there is easily accessible and complete data on each client. The procedures developed fall into the following categories: 1) the case file and accompanying forms, 2) the tickler system, and 3) the filing system.

The Case File

A case file is a repository of all essential information on the client and his problem, as well as of all transactions between client and legal assistant and between legal assistant and the attorney. One problem in file-keeping is that the file soon becomes cluttered with notes and documents haphazardly filed, with no regard to order or importance of information. Since the attorney must review the file, it is especially important that there be a way to organize the file and to have summary sheets which can tell at a glance what is happening on the case.

Forms No. 1 and 2 on pages 45 and 46 provide the kind of summary needed: 1) background information on the client; 2) information concerning eligibility for service; 3) information on the substantive law area in which client's problem falls; 4) information on the specific problem or problems within that law area; 5) action or actions taken by the legal assistant; and 6) results. This form is filed in the left-hand side of the file, on top of official documents, letters, release of information and authorization to represent.[1]

Another form, an action form, is of equal importance in terms of accountability. This form has space for briefly summarizing the facts of the case, but its primary focus is to prescribe action of the legal assistant and to indicate the findings of the attorney review. This form, No. 3, is located on page 49. It is filed on the right-hand side of the case on top of older action forms, and any hand-written notes of the legal assistant. This form is an essential part of the tickler system, which will be discussed next.

The Tickler System

The goal of the tickler system is to provide for prompt case action and to prevent clients from getting "lost" or from important dates being missed. It is a form of calendar monitoring that schedules case action as follows:

- the attorney and the legal assistant review a case, decide on action, and schedule that action;
- that information is noted on the action sheet on page 49;
- the attorney and the legal assistant both note the case name and date of action on their desk calendars;

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1. Please see page 50 for a sample release of information and authorization to represent form, (Form No. 4).

- the case name, date, and name of legal assistant are given to the office assistant, who records the information on a master calendar;
- the office assistant, on the date of the action, pulls the case and places it on the legal assistant's and/or attorney's desk;
- the date of the next attorney review of the case is also noted by the attorney, the legal assistant, and the office assistant.

The Filing System

The filing system provides for uniform handling of cases so that any staff member can put his hands on that case at any time.

The office assistant has primary responsibility for the filing system. **When the client comes in for the first interview** the office assistant:

- makes up the file and tabs it with the client's name, as well as with a number taken sequentially from the logbook;
- records in the logbook the client's name, date of interview, legal assistant responsible;
- makes up a file card indicating the client's name, address, phone number and legal assistant responsible; it is filed alphabetically on the office assistant's desk.

During the period of time a case is active, the legal assistant and/or attorney has responsibility for inserting a card indicating date and person's name when a file is removed from the file cabinet. That person has responsibility for re-filing the case file when he is through using it. The case is filed alphabetically.

When the case is closed, the office assistant:

- records in the logbook the date of case closing;
- makes sure that the proper closing notations are made in the case file, and then files the case numerically;
- removes the file card from the open card file and places it in a closed card file.

The logbook provides for 1) sequential case numbers; 2) brief summary of essential data; 3) quick record of number of clients served; 4) easy check on cases which may have been open too long.

The purpose of having numerical filing, in addition to alphabetical filing, is that it provides for ease of retrieval and greater accuracy, especially when there is volume. Obviously, it is possible to have only alphabetical filing. The Senior Citizens Legal Services office, however, decided to have both because while the staff is presently familiar with the names of their active clients, they anticipate a large caseload in the future.

FORM NO. 3

CASE NAME _____ LEGAL ASSISTANT _____

CASE NUMBER _____ DATE _____

ACTION FORM

NOTES (SUMMARY OF PROBLEM):

ACTION OF LEGAL ASSISTANT:

ATTORNEY REVIEW:

Date: _____

Attorney _____

ACTION PRESCRIBED BY ATTORNEY:

CALENDAR FOR (date) _____

FORM NO. 4

AUTHORIZATION TO REPRESENT

I, _____, residing at
(Name – Please Print)

_____
(Address)

hereby authorize Senior Citizens Legal Services to represent me in the matter of: _____

_____

_____

and in connection therewith to have access to, inspect and copy all information relating thereto, including, but not limited to, all medical records and information.

_____
Signature

_____
Date

Witness:

_____
Signature

_____
Date

The Legal Assistant – Client Relationship

At the Senior Citizens Legal Services office, the legal assistant is an extension of the attorney. Since the attorney is bound by certain ethical considerations, so is the legal assistant. Some of these considerations are:

- at initial interviews, the legal assistant in introducing himself must make clear that he is not an attorney, but that an attorney will review all the facts in the case and prescribe action;
- the legal assistant cannot give legal advice without the sanction of the attorney;
- the legal assistant should not make promises to the client concerning the solution of the problem;
- the legal assistant must respect the client's right to self-determination, including the right to reject a proposed solution to the problem;
- all information must be used for helping the client and can be used only with the client's permission, or the client's confidentiality will be violated. A special authorization form, which appears on the facing page, is used to obtain client's permission.

Staff Training and Development

The staff of the Senior Citizens Legal Services Office has a commitment to training. The CRLA Office provided a good basic training prior to the opening of the office, and has continued to provide consultation, updated reference materials and litigation assistance. The staff has received on-going training in two ways: 1) through the attorney review, and 2) through effective utilization of staff meetings.

The attorney review provides the major opportunity for training the legal assistants. By using the discussion of individual cases as an educational device, the attorney interprets the legal principles and implications involved in the problem. Through this process, the legal skills and sophistication of the legal assistants rapidly develop.

Staff meetings provide an opportunity for on-going education for the entire staff. There have been a number of sessions around two additional substantive areas of law, consumer fraud and landlord-tenant problems. The supervising attorney, who has particular expertise in these two areas, has provided the core teaching. However, the staff has also secured local experts from the private bar and various state and federal agencies who have made presentations at staff meetings.

The staff is interested in utilizing every opportunity available to develop their knowledge base and skills. They learned about a special project funded by the Office of Economic Opportunity whose goal was to develop legal systems. **A legal system translates a substantive area of the law into laymen's language and provides guidelines for case action.** Such systems are considered an important tool in furthering the development of the paralegal movement. The staff has asked that the legal systems, when developed, be made available to them for their use.

INTERVIEW WITH CLIENTS

(Questionnaire to be used by interviewers)

I. QUESTIONS RELATING TO LOCATION, PHYSICAL ASPECTS AND MISCELLANEOUS ASPECTS:

1) Have you ever used the services of a lawyer before? If yes, how often? If no, how have you handled problems of a legal nature before?

2) Why did you decide to contact the _____ office? Had you gone elsewhere for help before contacting this office? If so, what happened?

3) Did you first call the office, drop in or write? Were you given an appointment?

4) What kind of transportation did you use to get to the office? What problems did you have in locating the office or in getting there? How many times did you go to the office?

5) Now, Ms./Mr._____, I'd like you to think back to your first visit to the office. Can you tell me how long you had to wait before you were seen by someone to discuss your problem? Can you describe the reception room?

II. QUESTIONS RELATING TO STAFF:

1) Were you satisfied with the contact you had with the receptionist?

2) To whom were you referred to discuss your legal problem? How long did the interview last? What was the result of the interview? What were you most satisfied with in regard to the interview? What dissatisfied you the most with regard to the interview?

3) Was any other member of the staff involved in helping you with your problem? What did that person do?

4) Were you asked to do anything yourself to help resolve the problem? If so, please describe.

5) What are your impressions of the staff at the _____ office?

III. QUESTIONS RELATING TO THE PROBLEM ITSELF / ACTION / RESULTS:

1) Describe briefly the legal problem you had when you visited the Legal Services office. What kind of help or advice were you given?

(**Note**: These questions may not be necessary if information was included in responses above)

2) Has the matter been resolved? How? Was there a court proceeding? A hearing? Did the matter involve a negotiation? Did they prepare any papers for you? How long did it take for the matter to be resolved? How long do you expect it to be before the matter is resolved?

3) Did you expect the staff to do more? What?

4) Would you say that the service was ☐ excellent? ☐ very good? ☐ good? ☐ fair? ☐ below average? ☐ poor? Would you explain why you would rate the service like that?

5) Would you refer a friend to this office for assistance? Why or why not?

Supplementary and probe questions to be used when necessary to elicit more information: Can you tell me more about this? What makes you think this? Why? In what way?

The Office Evaluation

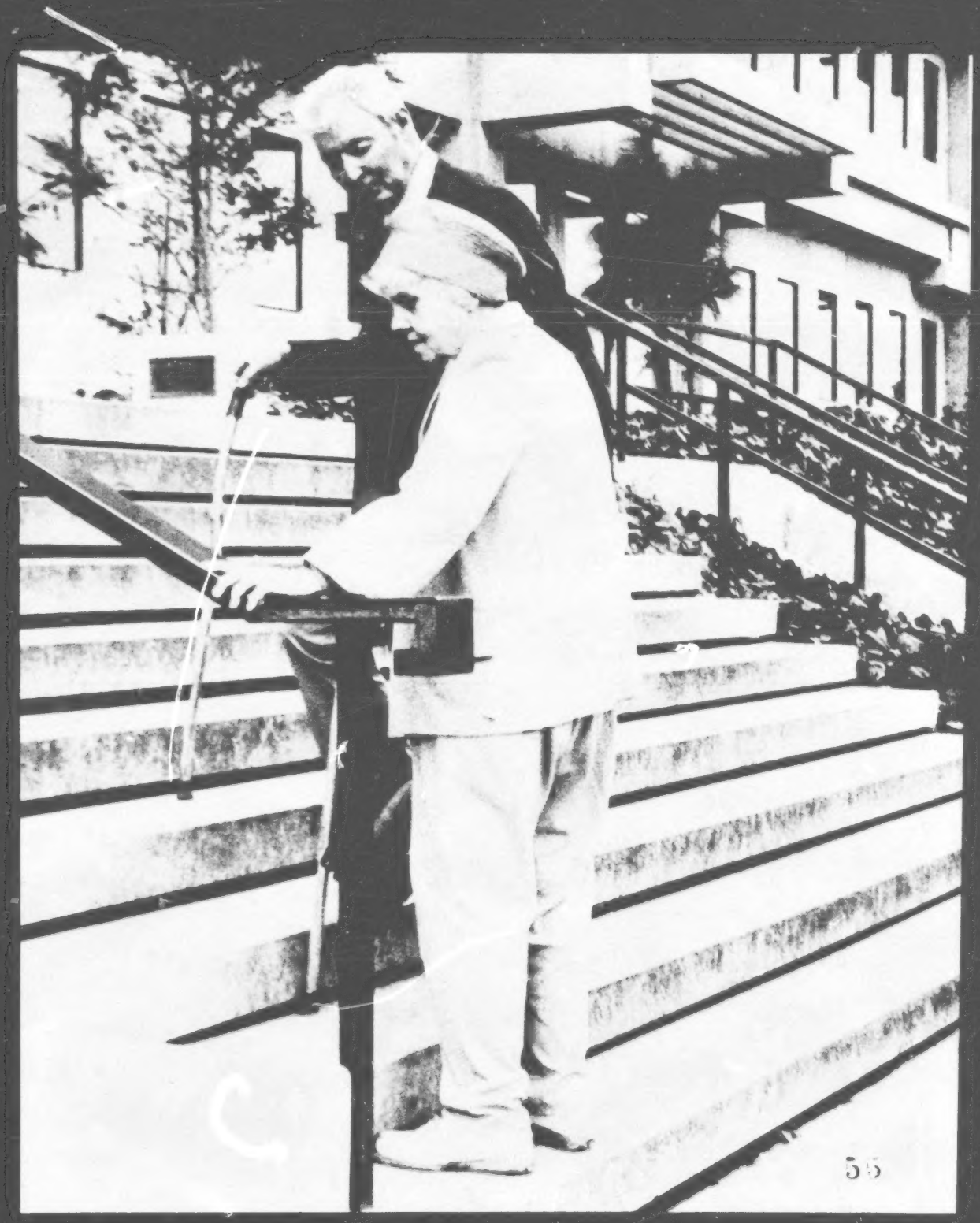
Evaluation in a legal service office provides the normal function of evaluation of any service office: to judge what is being accomplished, to modify program and policies, and to provide necessary information to funding sources.

In a legal service office, it is of particular importance to monitor closely the rapidity with which case action is completed. If cases are held for too long a period of time, clients are probably being poorly served. Action is then indicated, either in terms of caseload control, or in determining where the procedures have broken down.

Besides the required and independent evaluations conducted periodically by OEO's Legal Services Division, the Senior Citizens Legal Services office has experimented with other methods of evaluation:

- quarterly analysis of all closed cases considering the number of clients served, the types of cases, the kinds of action taken, the results of that action, and the time span between intake and closing;
- periodically eliciting comments and suggestions from the client community;
- interesting a graduate student to conduct an independent evaluation of the office. The questionnaire a student developed to interview clients served by the office appears on the facing page. Preliminary results indicate a high degree of consumer satisfaction.

> *I spent a full day evaluating the senior citizens office of Santa Cruz Legal Aid. I was extremely impressed with the sophistication of the office and the enthusiasm of the senior advocates who work there.*
>
> (Excerpt from a recent OEO evaluation of the office.)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SENIOR CITIZENS LEGAL SERVICES:

THE ACCOMPLISHMENTS

In the first year of operation, the Senior Citizens Legal Services office has served four times as many elderly clients as previously served by the entire Legal Aid Society of Santa Cruz. This is an average of over 50 new client cases per month.

The types of cases and the percentage of time spent by legal assistants on direct service cases:

40% Health (Medicaid, Medicare) & Income Maintenance (Welfare, Social Security, VA pensions).

35% Landlord-Tenant problems.

25% Consumer problems.

The following client comments well summarize the general reaction of the client community interviewed about the Senior Citizens Legal Services office:

We felt so alone, so defeated . . . These people were outstanding and made you feel right away that you were in friendly hands.

Thought they were very good and very efficient and they knew all of the answers to my questions. They took upon themselves to explain things . . .

They were very sincere in wanting to help you. I have gone into many businesses and attorney's offices where you had to pay high fees and have never been given the consideration which these people gave.

The effect of the Senior Citizens Legal Services on the morale of the elderly community is immeasurable.

CONCLUSION: SANTA CRUZ AND BEYOND

We have presented a model for delivering legal services, utilizing older persons as legal assistants. This model was designed to meet the particular problem of a community: that of providing needed legal services to low-income elderly. We think this model can be adapted to a wide range of other situations, and would like to briefly discuss three possibilities: a generalized legal services office; a legal clinic within a senior citizens center; and a private legal office.

GENERALIZED LEGAL SERVICE

It might not be possible for a legal services office to set up a special office devoted solely to the needs of the low-income elderly. However, by using older persons as office assistants and legal assistants **within** the generalized office, an atmosphere can be created which will make that office more attractive to the low-income elderly.

The value of this model extends beyond serving the elderly for there is every reason to assume that older persons as legal assistants could provide good service at a lower cost **to all age groups**, thus enabling the legal services office to serve more people.

A LEGAL CLINIC IN A SENIOR CENTER

There has been a movement to expand the role of the Senior Center beyond its traditional function of recreation and socialization to provide multiple services. Legal services could be one of those services. The senior citizen would not have to travel to an alien environment but would be provided legal advice in a familiar, comfortable place. There could be a partnership between the center and the local OEO legal services office, with the legal services office providing an attorney's time, and the center providing space, as well as staff or volunteers to serve as legal assistants.

In the event that there is no publicly funded legal services office, or such an arrangement is not feasible, another possibility is for the center to **hire an attorney and have control over the entire operation.** A legal clinic-senior center model is currently being developed in San Diego, California. Southern California First National Bank is playing the role of community "catalyst" by providing the money to set up a senior center, with medical and legal clinics being given priority as the first services to be started. An attorney has been hired to head the legal clinic, and he is in the process of hiring senior citizens as legal assistants. The Center will open shortly and will be watched to see how the experiment in funding and in operation works out.

PRIVATE LEGAL OFFICES

There are differences in needs of private attorneys and public legal services, the most obvious being that private attorneys are not particularly interested in reaching the poor or the low-income elderly. However, both private and public sectors have a common interest in quality service at low cost.

Lee Turner, a highly successful attorney in Great Bend, Kansas, whose practice is largely made up of personal injury defense litigation, utilizes a "systems management" approach.[1] In his firm there are three attorneys and twenty-seven legal assistants. His main clients—insurance companies—are cost conscious and want quality service, and yet they apparently are pleased with his services. He draws his assistants from a pool of older women who are looking for jobs after their children grow up, and claims these women constitute a stable and well-motivated workforce. Again, this reinforces our belief that older persons—men as well as women—provide a pool from which attorneys could draw for legal assistants.

* *

We have just begun to suggest possible ways to adapt the Santa Cruz model. We would like to hear from you concerning the usefulness of the Handbook and any new models you develop.

California Rural Legal Assistance Office
National Senior Citizens Law Center
942 Market Street, Suite 606
San Francisco, CA 94102
(415) 989-3966

1. ". . . To Develop a Coherent Policy for Using Legal Paraprofessionals," a Report of the Blackstone Associates/Office of Legal Services Conference on Legal Paraprofessionals; 1972 by Blackstone Associates, Inc.

"THE SANTA CRUZ STORY – SENIOR CITIZENS LEGAL SERVICES"

17 minute, 16 mm. color film

The film depicts a day in the operation of the Senior Citizens Legal Services office of Santa Cruz.

A copy of the handbook, "The Santa Cruz Story: Older People Serving Older People in a Legal Setting," accompanies the film. Copies of the handbook can, of course, be purchased separately.

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